

LOUISIANA PUBLIC SERVICE COMMISSION
MINUTES FROM JUNE 11, 2009
OPEN SESSION

MINUTES OF JUNE 11, 2009 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION HELD IN BATON ROUGE, LOUISIANA. PRESENT WERE CHAIRMAN LAMBERT BOISSIERE, VICE CHAIR JIMMY FIELD, COMMISSIONERS FOSTER CAMPBELL, ERIC SKRMETTA AND CLYDE HOLLOWAY. ALSO PRESENT WAS EVE KAHAO GONZALEZ.

Open Session of June 11, 2009, convening at 9:40 A.M. and adjourning at 1:16 P.M., Natchez Room, 602 N. 5th Street, 1st Floor, Baton Rouge, Louisiana, with the above-named members of the Commission and Secretary Eve Kahao Gonzalez.

Ex. 1 Announcements

Commissioner Skrmetta introduced his new Executive Assistant, Ann Rasmussen.

Commissioner Holloway announced that this may be J.W. McManus' last B&E and recognized him for his years of service with the Commission.

Ex. 2 **U-30773 - Diversion Water Co, LLC, ex parte, In re: Request for increase in water rates for its customers in Livingston, Ascension and St. Helena Parishes.**

In re: Stipulated Agreement

Last month's Ex. 2

PASSED

Ex. 3 Cleco Power LLC 2007 Request for Proposals for 2010 Long-Term Generating Power or Purchase Power and 2007 Request for Proposals for 2008 Short-Term Purchase Power Agreements.

In re: Request for Budget increase of Kennedy and Associates.

On motion of Commissioner Field, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Staff Recommendation and grant Kennedy and Associates' proposed increase in its budget by \$35,000 in fees plus expenses not to exceed \$3,500.

Ex. 4 Report by investor-owned electric utilities and Class I gas utilities regarding the impact (if any) of today's natural gas market on their respective hedging operations.

The following representatives gave reports on their respective hedging operations: Terry Spruill with Cleco; Kenny Molter with Atmos; Mark Kleehammer and Karen Freese with Entergy Gulf States and Entergy Louisiana; Ken Armstrong with CenterPoint; and Charlie Kaszuba with SWEPCO.

Ex. 5 Discussion of possible rule regarding swearing in of witnesses at a B&E.

At the request of Commissioner Campbell.

Commissioner Campbell directed Staff to look into this matter and come back at the July B&E with a possible rule for swearing in witnesses.

Ex. 6 Staff report on "Do Not Call" Program response to robo-call complaints and discussion and possible vote on further measures.

At the request of Commissioners Campbell and Field.

Commissioner Campbell directed Staff to report on SB 29 and the legal responsibilities of the Attorney General regarding fraud at the July Business Meeting.

Commissioner Skrmetta inquired as to how the PSC's Do Not Call Program relates to debt collection, and whether the PSC has authority to prevent debt collection calls.

- Ex. 7 1) Reports
 2) Resolutions – DNR Renewable Energy Resolution – **At the request of Commissioner Campbell. - PULLED**
 3) Discussions

- Ex. 8 **T-30880** - Louisiana Public Service Commission vs Renae G. Stanford dba Stanford Truck Line (Iota, Louisiana). In re: Alleged violation of Louisiana Revised Statutes Title 45, 163.1 through 194, as amended, by operating Intrastate without L.P.S.C. authority on five counts; one allegedly occurring on or about May 14, 2008, two allegedly occurring on or about May 16, 2008, and two allegedly occurring on or about May 30, 2008.

At the request of Commissioner Holloway.

On motion of Commissioner Holloway, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the ALJ Recommendation and 1) Find Renae G. Stanford d/b/a Stanford Truck Line guilty of violating La. R.S. 45:164 by operating intrastate as a common carrier of waste without Louisiana Public Service Commission authority; and 2) Impose a fine of \$500 upon Renae G. Stanford d/b/a Stanford Truck Line for its violation of La. R.S. 45:164, which fine must be paid to the Commission by Renae G. Stanford d/b/a Stanford Truck Line within fifteen (15) days of the date of issuance of the Order.

- Ex. 9 **T-30944** - Transwaste, Inc. (Alexandria, Louisiana), and IESI LA Corporation (Alexandria, Louisiana), ex parte. In re: Application to sell and transfer all rights, title and interest in Common Carrier Certificate No. 5966-B from the former to the latter.

In re: Motion to invoke Rule 57

At the request of Commissioner Holloway.

On motion of Commissioner Holloway, seconded by Commissioner Field, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction under Rule 57.

On motion of Commissioner Holloway, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to accept the Staff Recommendation and approve the transfer of Common Carrier Certificate No. 5966-B from Transwaste, Inc. to IESI LA Corporation.

- Ex. 10 **U-30864** – Density Utilities of Louisiana, LLC, ex parte. In re: Request for an increase in wastewater rate for entire service area.

In re: Discussion and possible vote to hire outside consultant.

At the request of Commissioner Boissiere.

On motion of Commissioner Boissiere, seconded by Commissioner Campbell, and unanimously adopted, the Commission voted to accept the Staff Recommendation and hire the consulting firm of Henderson Ridge Consulting with a budget of \$42,250 in professional fees with expenses not to exceed \$4,500 for a total of \$46,750.

- Ex. 11 Possible Executive Session pursuant to La. R.S. 42:6.1 to discuss LPSC budget issues.

At the request of Commissioner Boissiere.

On motion of Commissioner Skrmetta, seconded by Commissioner Holloway, and unanimously adopted, the Commission voted to go into Executive Session.

On motion of Commissioner Holloway, seconded by Commissioner Skrmetta, and unanimously adopted, the Commission voted to come out of Executive Session.

On motion of Commissioner Holloway, seconded by Commissioner Field, and unanimously adopted, the Commission voted to adjourn the meeting.

MEETING ADJOURNED

The next Business and Executive Session will be held July 15, 2009 at 9:00 a.m. in Vidalia, Louisiana.